

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

Ronald Sklansky
Director
(608) 266-1946

Richard Sweet
Assistant Director
(608) 266-2982



David J. Stute, Director
Legislative Council Staff
(608) 266-1304

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE RULE 98-132

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

- a. In the fifth item in the analysis, “87.02” should replace “8702”.
- b. According to s. 1.01 (7) (a), Manual, definitions are supposed to be arranged alphabetically. However, in SECTION 1 of this rule, the newly created definitions for “federal financial institutions regulatory agencies” and “federally related transaction” are inserted out of alphabetical order. They should be moved to precede the definition of “fee and staff appraisal,” presently located in s. RL 80.03 (8b). The definition of “federal financial institutions regulatory agencies” should be located in s. RL 80.03 (8ag) and the definition of “federally related transaction” should be placed in s. RL 80.03 (8ar).

It is also suggested that the definition of “non-complex 1-to-4 family residential property appraisal,” currently located in s. RL 80.03 (10a) be renumbered to (10g) and the newly created definition of “non-federally related transaction” should be placed in sub. (10r), rather than in sub. (10n). This will assist in making any future insertions.

- c. In s. RL 81.04 (1) (intro.), “do all of the following” should be inserted before the colon. In s. RL 81.04 (1) (c), “has done all of the following” should be inserted before the colon.

5. Clarity, Grammar, Punctuation and Use of Plain Language

- a. In s. RL 80.03 (8bm), there are two periods at the end of the sentence, one of which should be deleted.

b. In s. RL 81.04 (2), the word “will” on line 4 should be changed to “shall.”

c. In s. RL 83.01 (3) (e), the letters “BC” on line 1 should be changed to “RL.” Also in that provision, is the term “limited appraisals” generally understood in the field or should a definition be provided?

d. Section RL 84.01 (10) states that an appraisal course approved by the appraiser qualifications board of the appraisal foundation *may be* approved by the department without receipt of an application for course approval from the course provider. Use of the word “may” means that the department has discretion over whether to approve a course without an application from the course provider. Is that the department’s intent? The same question pertains to the language in s. RL 85.02 (11).

e. Section RL 85.01 (3) states that to obtain credit for continuing education hours, a licensed or certified appraiser must sign a statement at the time of each renewal certifying that he or she has completed the requisite number of continuing education hours. Is there or should there be a form to serve as the “statement” required by this provision? If so, the existence of the form should be noted, as well as information on how to obtain the form. If not, the rule should specify how and where the “statement” is to be made. For example, will it appear on the application for renewal?